

Remarks/Arguments

The Office Action mailed March 26, 2003 has been carefully considered. After such consideration, Applicant respectfully requests reconsideration and allowance of Claims 1-22 and 24-32 in view of the following:

Claims 1-5, 9 and 14-32 stand rejected under 35 U.S.C. 102 (e) as being anticipated by Petchenkine et al. U.S. Patent No. 6,483,524. Petchenkine discloses a workflow for a prepress operation that uses a raster image processor. The outcome of the method described by Petchenkine is a hardcopy printed image made up of CMYK ink dots. Petchenkine converts RGB colors to CMYK colors for use in printing with a large commercial CMYK type printer.

In complete contrast to Petchenkine, the present invention relates to the conversion of vector graphics files to files suitable for display on an RGB color computer monitor that receives image data over the Internet. The invention is particularly well suited for producing electronic equivalents of retail catalogs such as furniture catalogs used by retailers to promote and sell their merchandise over the Internet. Moreover, the present invention can be used to provide an in-store reprint of selected catalog pages using an inexpensive RGB desktop printer.

A *prima facie* case of obviousness is established when the teachings of the prior art suggests the claimed invention. But, the mere fact that the prior art itself may be modified does not make the modification *prima facie* obvious unless the prior art suggests the desirability of the modification. See, e.g., MPEP §2142 and 2143.01. Thus, the references must expressly or impliedly suggest the claimed invention. Furthermore, the August 2, 2001 Federal Circuit decision in *In Re Zurko*, No. 96-1258 holds that deficiencies of cited references cannot be remedied by general conclusions about what is "basic knowledge" or "common sense" to one of ordinary skill in the art.

The primary reference, Petchenkine does not contain any teaching regarding the conversion of cyan, magenta, yellow, black (CMYK) color values to red, green, blue (RGB) color values. Independent claims 1, 25-27 and 30-32 as currently amended call for this limitation. As such, Petchenkine does not anticipate claims 1, 25-27 and 30-32.

Moreover, Petchenkine does not contain any suggestion, incentive, or support for the claimed invention. The claimed invention, taken as a whole, cannot be said to be obvious without some reason given in the Petchenkine patent itself as to why one of ordinary skill would have been prompted to modify CMYK color values to RGB colors to arrive at the claimed invention. Thus, there is no basis in the primary reference for its modification and no *prima facie* case of obviousness.

All the independent claims of the present application are currently amended to call for a set sequence of steps. As a result, all the independent claims and those that depend thereon are distinguishable over Petchenkine which does not disclose operating

in that sequence. Dependent claim 16 is currently amended to correct the tense of the verb "create". No new matter has been added by this correction.

In view of the foregoing amendments and for the above reasons, it is believed that this application is now in condition for allowance. If the Examiner does not agree, please provide detailed reasons in an advisory action for the purposes of appeal.

Respectfully submitted,



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